

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

UNITED STATES OF AMERICA

v.

JESSICA MONICA SCOTT

)  
)  
) No. 3:11-CR-159-02  
) Sr. Judge Nixon

) **CASE ORDERED SEALED**  
)  
)

**MOTION TO CONTINUE DEFENDANT JESSICA SCOTT'S  
SENTENCING HEARING (AUGUST 17, 2012)**

Comes now Jessica Monica Scott, through court appointed counsel, and moves the Court to continue the sentencing hearing now scheduled for August 17, 2012. In support of this motion, Ms. Scott submits the following:

1. Ms. Scott submitted her guilty plea in this court on August 10, 2011.
2. The sentencing hearing for Ms. Scott is set August 17, 2012. (DE 40)
3. Ms. Scott was ordered to begin a 28 day in-patient treatment program at Buffalo Valley, Hohenwald, Tennessee on August, 6, 2012 (DE 43). As such, she will not have completed the treatment program by the time the sentencing hearing is currently scheduled. The parties and court agree that she is most likely to receive the maximum benefit from the program by completing the program without interruption.
4. Additionally, Ms. Scott's plea agreement contemplates the possibility that the government may request Ms. Scott's cooperation. Furthermore, Ms. Scott has undertaken to cooperate with the government. It is not possible, however, for Ms. Scott to finish her cooperation to the extent necessary for the government to have the opportunity to adequately evaluate the scope and degree of her cooperation by the 17, 2012 sentencing hearing date.

5. A defendant providing assistance to the government is a factor appropriately considered by the Court for determining if a sentence is sufficient but not greater than necessary under 18 U.S.C. § 3553(a). Should the sentencing hearing in this matter proceed as currently scheduled, Ms. Scott would not be afforded sufficient time to fulfill the terms of her plea agreement that anticipates cooperation that must be evaluated by the government. Thus, more time is needed.

6. On August 13, 2012, undersigned counsel received word from Assistant U.S. Attorney Sunny A.M. Koshy that the government concurred in the need for the continuance to allow her to complete cooperation, and to complete the Buffalo Valley treatment. The government also advised undersigned counsel that Ms. Scott's cooperation is anticipated through March, 2013 in light of the potential for Ms. Scott to have to testify.

7. During the week of August 6, 2012, undersigned counsel spoke with Larry Arnkoff, counsel for co-defendant Eric Young. Mr. Arnkoff advised that he is not opposed to the continuance for the above-stated reasons.

Accordingly, defendant Jessica Scott moves the Court to continue the sentencing hearing until after March 2013 or another date convenient to the court.

Respectfully submitted,

s/ John G. Oliva  
JOHN G. OLIVA, No. 10566  
1308 Rosa L. Parks Boulevard  
Nashville, Tennessee 37208  
(615) 254-0202  
igoliva@comcast.net

Counsel for Jessica Monica Scott

*Granted  
Continued  
to April 5, 2013  
at 10:00 a.m.  
[Signature]*